

**Sutter County**  
**Plan for Providing Educational Services to Expelled**  
**Students 2021-2024**

By and Between  
Sutter County Superintendents of Schools  
Office  
And

AeroSTEM Academy  
Brittan Elementary School  
District Browns Elementary  
School District  
East Nicolaus Joint Union High School District  
Franklin Elementary School District  
Live Oak School District  
Marcum-Illinois Union School  
District Meridian Elementary  
School District Nuestro  
Elementary School District  
Pleasant Grove Joint Union School  
District Sutter Union High School  
District  
Twin Rivers Charter  
Winship-Robbins Elementary School District  
Yuba City Unified School District  
Yuba City Charter

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## I. Legislative Overview

California *Education Code (EC)* Section 48926 requires each county superintendent, operating County Community Schools (CCS) to develop, in conjunction with school district superintendents, a plan for providing educational services to all expelled students in that county.

The plan must be adopted by each school district's governing board and by the County Board of Education. Educational programs established to serve expelled youth may be provided by the school district, the County Superintendent of Schools, or in joint agreement with the County Superintendent to Schools.

Chapter 974, Section 8, was enacted into law in 1995, as a result of the passage of Assembly Bill 922, Friedman. Section 48926 requires the development of a plan for providing education services to all expelled students and the submission of the plan to the State Superintendent of Public Instruction prior to June 30, 1997, as well as triennial updates since satisfying requirements associated with the 'county plans for provisions of educational services to expelled students.' In addition, this plan shall be distributed to every district superintendent in Sutter County as required by law.

### Education Code 48926

*Each county superintendent of schools in counties that operate community schools pursuant to Section 1980, in conjunction with superintendents of the school districts with the county, shall develop a plan for providing education services to all expelled pupils in that county. The plan shall be adopted by the government board of each school district within the county and by the county board of education.*

*The plan shall enumerate existing educational alternatives for expelled pupils; identify gaps in educational services to expelled pupils, and strategies for filling those service gaps. The plan shall also identify alternative placements for pupils who are expelled and are placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.*

*Each county superintendent of schools, in conjunction with the superintendents of the school districts, shall submit to the Superintendent of Public Instruction the county plan for providing educational services to expelled pupils in the county no later than June 30, 1997, and shall submit a triennial update to the plan to the Superintendent of Public Instruction, including the outcome data pursuant to 48916.1, on June 30<sup>th</sup> thereafter.*

### Education Code 48916.1

*(a) At the time of an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an educational program is provided to the pupil during the expulsion period. Except for pupils expelled pursuant to subdivision (d) of Section 48915, the governing board of a school district is required to implement the provisions of this section only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both.*

## **II. Expulsion**

Education Codes 48900, 48900.2, 48900.3, 48900.4, 48900.7, 48915 describe the offenses that may or shall result in the suspension or expulsion of a student from his/her school of attendance. Education Code 48916.1 requires the governing board of the expelling district to ensure that an educational program is provided for the expelled pupil for the duration of the expulsion. Additionally, the district of residence maintains the responsibility for developing a *Rehabilitation Plan* for the expelled student and referring the student to an appropriate educational setting. Part of this plan will include a review of the district rehabilitation directives to be completed prior to readmission to the school district of residence.

When the school district determines that an educational option does not exist within the district for grades 7-12 expelled students, the district may refer the student to a SCSOS county community school. SCSOS county community schools include Feather River Academy (FRA) and Pathways Charter Academy (PCA). Sutter County Superintendent of Schools will review the rehabilitation plan and develop an Individual Learning Plan (ILP).

Staff from the County Superintendent's Office, in conjunction with the County Probation Department (when appropriate) and the referring school district, will collaboratively develop alternate strategies for those community school students who have difficulty meeting the terms of their plan or who continue to pose a danger to other students.

## **III. Countywide Educational Service Plan for Expelled Students**

Educational programs within Sutter County provide excellent opportunities for students who are in need of traditional and/or alternative education programs. Local school districts offer a broad spectrum of services augmented by Sutter County Superintendent of Schools programs, providing a continuum of services to expelled students.

- Intervention strategies on comprehensive school sites, alternative programs on and off comprehensive school sites, and/or referral to the Sutter County Superintendent of Schools programs respond to student diversity and community needs by providing opportunity for academic, social and emotional success. Educational leaders meet regularly throughout the year and throughout the county on a number of topics, including reviewing best practices in serving high-risk youth and families. These groups include but are not limited to, Superintendents' Council, Curriculum and Instruction, Student Support and Outreach, Tri-County Induction Program, School Attendance and Review Board (SARB), Special Education Local Plan Area (SELPA), Human Resources, Internal and External Business, Adult Education, Tri-County ROP, Sutter One Stop, Shady Creek, Family Assistance Service Team (FAST) and The Family Intervention Team (FIT).

Each school district provides intervention strategies that may include, but are not limited to, providing counseling, student study teams, academic and emotional assessments, parent trainings, in-school suspensions, off campus suspensions,

Special Education services, after school activities, School Based Mental Health, and inclusion of Child Welfare and Attendance.

#### **IV. Sutter County Superintendent of Schools Alternatives**

County community schools educate students who are expelled from school districts or who are referred because of truancy or behavior problems. They also serve students who are homeless, on probation, and who are not attending any school. Parents or guardians may also request that their child attend a county community school by submitting such a request to their district of residence.

#### **V. Existing School District Alternatives**

Each school district shall take steps to see that services are provided for pupils who are expelled. A pupil whose behavior has resulted in an expulsion is entitled to a hearing. A pupil whose behavior resulted in expulsion shall be given a *Rehabilitation Plan* that is designed by the District of Residence (DOR). If an expelled student moves into a new district, it becomes the responsibility of that district to outline the conditions for readmission for that student. Any recommended placement should be monitored and appropriate documentation maintained. The plan may involve one or more of the options outlined below.

The governing board of each school district will determine which educational alternatives are appropriate and available. Educational alternatives throughout Sutter County for pupils recommended for expulsion include, but are not limited to:

- Expulsion, suspend order, with placement on the same campus.
- Expulsion, suspended order, with placement on a different school campus within the district.
- Expulsion, suspended order, with placement in district independent study, if the parent/guardian consents.
- Expulsion with referral to a district community day school, if available
- Expulsion with subsequent transfer to another district.
- Expulsion with referral to the Sutter County Superintendent of Schools community day school program (grades 7-12).

#### **VI. County Community School Referral Process**

The referring district shall provide the following documentation at the time of referral for enrollment:

- SCSOS County Community School Referral Form
- CSIS Number
- Expulsion Rehabilitation Plan (If expelled)
- Attendance and Discipline information
- Current transcripts and grades
- Assessment data
- IEP/504 Plan (If applicable)

In addition, families/caregivers must provide a completed enrollment packet. Once all required information is received, a new student orientation is scheduled prior to enrollment.

Expelled pupils referred to SCSOS County Community Schools, including Feather River Academy and Pathways Charter Academy, are under a *Rehabilitation Plan* developed by each district and will be held accountable to both the district and county for following the plan. For all pupils referred to a County Community School, if the placement does not result in meeting the pupil's needs or the pupil commits an offense(s) that precludes them from continuing at the county community school, the county community school staff will:

- Offer the student the option of enrolling in ISP (Independent Studies Program, if appropriate)
- Refer the pupil to the police department or probation (if appropriate)
- Inform and refer the pupil to their home district to find an alternative placement
- Inform the family/caregiver of the option of attending a charter school in or out of the county, or a private school (at the family's expense)

SCSOS County Community School staff will provide DOR with ongoing progress reports and notification of a pupil's change of residence, termination from the program, or completion of requirements for graduation. SCSOS County Community School staff will provide each district the data necessary to meet all necessary reporting requirements associated with Education Code 48916.

## **VII. Referral Process for Students Receiving Special Education Services**

Any pupil referred to SCSOS County Community Schools, with an active IEP, must follow the established process to assure compliance with IDEA and Title 5. The following steps include:

1. The District of Special Education Accountability (DSEA) notifies county community school staff and SCSOS Special Education Administration of a pending referral.

2. The DSEA will send to county community school staff and Sutter County Special Education (SPED) administration the following documents:

- Most current IEP including all addendums
- Most recent psychological assessment
- Manifestation IEP
- Attendance and discipline records
- Expulsion Rehabilitation Plan

3. After sending the referral documents to the county community school staff and SPED administration, an IEP meeting can be scheduled by the DSEA to consider placement in SCSOS County Community Schools. The DSEA must allow a minimum of one (1) week between sending the referral documents to SCSOS County Community School staff and SCSOS SPED and holding the IEP meeting.

4. Should the IEP team determine that placement in SCSOS Community Schools is not appropriate, the DSEA will work with SELPA to determine an alternative placement.

### **VIII. Support for Students Returning from Expulsion**

Transition support for students includes an end of term transition meeting to include the student/family, SCSOS County Community School staff and district and/or school of residence staff. These meetings will be routinely scheduled, by SCSOS staff, and held approximately one month before the end of each semester. The transition team will review eligibility to apply for readmission.

- If readmission is determined to be the appropriate goal, the application timeline and paperwork will be initiated and a transition plan will be created. Transition plans should address time to acclimate from the alternative school setting to the comprehensive schools site and should include identification of a caring adult mentor established as a point of contact at the home school.
- If readmission is not determined to be the appropriate goal, the transition team should establish a 1-year plan aligned with established long-term goals.

### **IX. Gaps in Educational Services for Expelled Students**

There were several potential gaps in providing a comprehensive service model for expelled youth in Sutter County as identified in the 2018 plan. The districts and Sutter County Superintendent of Schools Office must work to develop solutions that are both educationally sound and financially possible.

1. 2018 Plan Identified Gap and Strategy: A pupil expelled under Education Code 48915 by a district could potentially reoffend under Education Code 48915, during placement in a district community day school or a county community school, resulting in a referral back to the district of residence.

a. 2018 Strategy:

- When all educational options available to Feather River Academy are exhausted, placement in a contiguous county will be explored. Sutter County Superintendent of Schools has established a reciprocal relationship with Yuba and Colusa counties to address the service gap identified in the 2012 Plan.
- Pupils have the option to apply to a private school at no expense to the school district or apply to a charter school in or out of the county. The private school or charter school is not obligated to accept the pupil.

b. 2021 Update:

- Neither strategy identified above proved to be regularly available. Contiguous county programs are typically at capacity and enrollment in private or charter schools is difficult to facilitate.
- Instead, pupils reoffending under Ed Code 48915 were typically given the choice of moving to an Independent Study Program offered at SCSOS community school. This was successful in that expelled students

were not referred back to the district of residence during the term of their original expulsion.

2. 2018 Plan Identified Gap and Strategy: The geographic spread of schools in Sutter County present a transportation challenge for the pupils and referring school districts to Feather River Academy.
  - a. 2018 Strategy: The county receives a limited number of referrals from schools not within the city limits of Yuba City. One staff member is available each morning to pick up students. In addition, students receive Independent Study making it easier to access the program because they are required to come to campus only one day per week. This strategy remains in effect.
  - b. 2021 Update: This strategy proved to be successful and should be continued.
3. 2018 Plan Identified Gap and Strategy: Elementary students may not be housed on the same campus as students in grades 7-12. Currently, Feather River Academy's programs are housed on a single site. Also, Elementary schools expel very few students.
  - a. 2018 Strategy: Sutter County continues to experience a small number of pupils expelled from elementary schools. These small numbers continue to pose a cost prohibitive challenge to establishing a classroom for Sutter County's expelled elementary pupils. This strategy remains in effect.
  - b. 2021 Update: A gap still exists. Elementary students are typically moved to a district independent study program rather than being referred to the community school. There is interest from the districts and the COE to explore expansion to include community school options for elementary aged students.
4. 2018 Plan Identified Gap and Strategy: Students whose behavior becomes increasingly dangerous or whose truancy does not respond to Probation or judicial consequences may no longer qualify to attend Feather River Academy and may be referred back to their DOR.
  - a. 2018 Strategy: In an effort to support students and families FRA developed an afterschool program designed to provide education for students who have no other options. This program follows an Independent Study Program style with the exception that an after school student could attend ISP daily if determined appropriate by FRA and parent. In the case where the after school program is not an option FRA will provide the student's family a list of alternative schools and assist students in finding a new school and advise the district of residence.



b. 2021 Update:

The option to enroll in Independent Study with after normal school hours' appointments was successful in reducing the number of students referred back to DOR. Another action that proved effective was the establishment of flow chart ensuring the involvement of DOR, Probation and Community School staff in problem solving prior to resorting to return to DOR.

There are several potential gaps in providing a comprehensive service model for expelled youth in Sutter County as identified in the 2018 plan and others added in 2021. The districts and Sutter County Superintendent of Schools Office must work to develop solutions that are both educationally sound and financially possible.

1. Identified Gap and Strategy: A pupil expelled under Education Code 48915 by a district could potentially reoffend under Education Code 48915, during placement in a district community day school or a county community school, resulting in a referral back to the district of residence.

a. 2021 Strategy:

- When all educational options available to Feather River Academy are exhausted, placement in a contiguous county will be explored. Sutter County Superintendent of Schools has established a reciprocal relationship with Yuba and Colusa counties to address the service gap identified in the 2012 Plan.
- Students/families may be given the choice of moving to an Independent Study program offered outside of normal student attendance hours at SCSOS community school or at a, mutually agreed upon, off site location.
- Pupils have the option to apply to a private school at no expense to the school district or apply to a charter school in or out of the county. The private school or charter school is not obligated to accept the pupil.

2. Identified Gap and Strategy: The geographic spread of schools in Sutter County present a transportation challenge for the pupils and referring school districts to Feather River Academy.

a. 2021 Strategy:

- The County receives a limited number of referrals from schools not within the city limits of Yuba City. City bus passes are provided where appropriate. One SCSOS staff member is available each morning to pick up students. In addition, students receive Independent Study making it easier to access the program because they are required to come to campus only one day per week. This strategy remains in effect.

3. Identified Gap and Strategy: Elementary students may not be housed on the same campus as students in grades 7-12. Currently, Feather River Academy's programs are housed on a single site. Also, elementary schools

expel very few students.

a. 2021 Strategy:

- Sutter County continues to experience a small number of pupils expelled from elementary schools. These small numbers continue to pose a cost prohibitive challenge to establishing a classroom for Sutter County's expelled elementary pupils. There is interest from the districts and the COE to explore expansion to include community school options for elementary aged students.

4. Identified Gap and Strategy: Students whose behavior becomes increasingly dangerous or whose truancy does not respond to Probation or judicial consequences may no longer qualify to attend Feather River Academy and may be referred back to their DOR.

a. 2021 Strategy:

- In an effort to support students and families SCSOS will provide Independent Study with daily contacts limited to outside of normal student attendance hours if determined appropriate by FRA and parent.
- Establishment of a flow chart ensuring the involvement of DOR, probation and community school staff in problem solving and exploration of service models prior to resorting to return to DOR.

5. Identified GAP and Strategy: All students have experience some learning loss as a result of disruptions caused by COVID and the decreased instructional time.

a. 2021 Strategy:

- Students will be assessed to identify academic and social strengths and needs. An Individual Learning Plan (ILP) and Individual Success Plan (ISP) will be developed for each student. Supplemental supports and services will be assigned and monitored through the ILP/ISP.

6. Identified GAP and Strategy: It was difficult to support English Learners progress toward fluency during COVID.

a. 2021 Strategy:

- Supplemental services will be provided in the form of online designated ELD curriculum and support from para educators.

## **X. School Wide Focus and Foundation**

*In 2019/20 community school staff began a transition from Nurtured Heart to PBIS.*

*In 2020/21 the staff committed to becoming a PBIS school and engaged in intensive training and implementation support with Placer County Office of Education. PBIS is grounded in the MTSS model and supports the Mission and Vision of our school.*

*Staff and students; families have identified a positive change in culture and atmosphere even in the early stages of implementation which occurred under pandemic conditions.*

*The mental health needs of students and families continues to be high. SCSOS County Community Schools have identified resources to implement strategic supports for all students. The following represents the key resources:*

- *Ensuring strong Tier I supports including PBIS, SEL signature practices, equity work on bias and culturally and linguistically responsive instruction.*
- *Partner with the SCSOS Student Support and Outreach department for mental health supports*
- *Increase the ratio of Counselors to students*
- *Study and implement concepts of Growth Mindset*
- *Study and implement concepts of Trauma Informed Care (ACES)*
- *Study and implement concepts of Restorative Justice*

### *Long Term Outcomes - Decreases in:*

- *Suspension*
- *Expulsion, students failing placement in the County Community School*
- *Discipline Referrals*
- *Referrals to Special Education*
- *Chronic Absenteeism*
- *Incidents of Bullying or harassment*
- *Risk Factors*

### *Long Term Outcomes – Increase in:*

- *Pupil Attendance*
- *Graduation Rates*
- *Measure of Student Academic Achievement*
- *School Climate*
- *Average instructional time in integrated settings for student with IEP's and students' social emotional competence.*
- *Protective Factors*

## **XI. Intervention and Referral Report**

As a condition of the re-authorization of the Sutter County's *Plan for Providing Educational Services to Expelled Students*, SCSOS County Community School staff will implement a bi-annual report sent to each expelled student's DOR keeping them current on their students' progress. This report will also include interventions provided to students, students who have dropped from a SCSOS County Community School, students who have transferred to other educational settings or who move from the area as changes take place.

Interventions provided to students, which may be included in the report, are:

- Warnings/resets
- Parent/Teacher contact
- Referral to on-site counseling and/or SSO staff
- Exclusion from school activities
- Behavior contract
- Community referral services
- Parent visitation in class
- Student Success Team (SST)
- Projects on campus
- Community service
- In-school suspension
- Behavior support plan
- Placement in an alternative classroom for a defined time period
- Referral to SARB (School Attendance Review Board)
- Increased Home Visits and Parent participation
- Trauma Informed Care Process, i.e. ACES survey
- Partnership with Sutter County Probation
- PBIS Positive Behavior Intervention and Supports
- Practices of Restorative Justice
- Access to Career Technical Education (CTE)

SCSOS County Community School staff will make appropriate referrals for students who meet the criteria for the following services and programs:

- Forward Thinking Journaling
- Cognitive Behavioral Therapy for Substance Using Adolescents
- The Parent Project
- Sutter-Yuba Behavioral Health (SYBH)
- Children Systems of Care (CSOC)
- Seeking Safety
- Grief Counseling
- Brief Intervention
- Why Try
- Student Support and Outreach Student Care Team (SCT)
- Aggression Replacement Therapy (ART)
- Transitional Aged Youth (TAY)
- Family Assistance Service Team (FAST)
- The Family Intervention Team (FIT)
- Youth for Change
- Coordinated Entry
- Hands of Hope
- Yuba Sutter Food Bank
- Sutter County Welfare Services
- Sutter County One Stop and Adult Education
- Alta California Regional Center
- Sutter County Public Health

- Sutter County Welfare Division

## **XII. Revenue**

The districts will pass all ADA revenue generated by pupils while in attendance at FRA or PCA, including but not limited to Supplemental and Concentration funds, Lottery and special one-time funds to the Sutter County Superintendent of Schools Office. For students receiving special education services, the district of special education accountability will be billed per the Sutter SELPA billing model. For out of county placements, please refer to the SELPA interagency agreement. Districts shall be directly involved in creating new programs that address specific district needs and which may generate costs to the districts. In the event the districts request services or programs that create additional costs, each district's share of those costs will be billed back to the districts based on their share of the program's usage. A district's share of program usage will be calculated based on the district enrollment of students on December 1st of each school year.

Districts agree to notify the Sutter County Superintendent of Schools by January 15<sup>th</sup> of the school year prior to implementing alternative programs that would result in significant loss of ADA for the community school. The notification would allow the Sutter County Superintendent of Schools to make appropriate adjustments in staffing for the following year and present March 15 lay-off notifications as required by Education Code if necessary. Should a district fail to notify the County Superintendent in a timely manner, and deficits result, the district will be included in the bill back based on figures generated from the prior attendance period, whether the district remains in the program or n

## Sutter County

### Plan for Providing Educational Services to Expelled Students

#### 2021-2024

California Education Code Section 48926 requires each county superintendent of schools, in conjunction with the superintendents of the school district within the county, to develop a plan for providing educational services to all expelled pupils in that county. It further required that the governing board of each school district with the county and the county board of education adopt the plan. Finally, this section requires that “each county superintendent of schools, in conjunction with the superintendents of local school districts.... shall submit a triennial update to the plan.” In order to satisfy the legal requirement for a triennial update on the plan, I submit the following request on behalf of my district.

As superintendent, I would like to request that the June 2021 revised version of the board policy addressing expelled students that was adopted by our district governing board in the 1996/97 school year be submitted for triennial update.

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AeroSTEM Academy

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Date Board Approved

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Brittan Elementary School District

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Date Board Approved

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Browns Elementary School District

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Date Board Approved

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East Nicolaus High School District

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